

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**ANGELA SCHUNCEY RICHARDSON
ADC# 712575**

PLAINTIFF

v.

Case No. 4:21-CV-00134-LPR

KRYSTLE REED DUNCAN

DEFENDANT

ORDER

The Court has received a Recommendation from Magistrate Judge Edie R. Ervin and Plaintiff's objections. After carefully considering the objections and making a *de novo* review of the Recommendation and the record in this case, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court's findings in its entirety.

IT IS THEREFORE ORDERED that:

(1) The Clerk's entry of default against Defendant Krystle Reed Duncan (Doc. 29) is VACATED.

(2) Plaintiff Richardson's Motion for a Default Judgment (Doc. 27) is DENIED.

(3) Plaintiff Richardson's Complaint (Doc. 2) is DISMISSED without prejudice, and the Clerk is instructed to close the case.¹

(4) The Court recommends pursuant to 28 U.S.C. § 1915(a)(3) that this dismissal constitute a "strike" and certifies that an *in forma pauperis* appeal of this Order or the accompanying Judgment would not be taken in good faith.

¹ In addition to the reasons provided by Judge Ervin, see also *Marshall v. Baggett*, 616 F.3d 849, 855 (8th Cir. 2010) and *Murray v. Lene*, 595 F.3d 868, 871 (8th Cir. 2010).

Dated this 3rd day of January 2023.

A handwritten signature in black ink, appearing to read 'Lee P. Rudofsky', with a long horizontal line extending to the right.

LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE